IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2582 OF 2005
IN
FIRST APPEAL (ST.)NO.12681 OF 2005

Miss Sabnam Allauddin Pathan. ..Applicant.

V/s.

Hafizulla Mahammed Shafi Pathan ..Respondent.

Mr.Santosh Shetty i/b M/s.M.P.Vashi & Associates for applicant.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 12, 2006.

P.C. :

1. None appears for the respondent though served. No reply has been filed to oppose this application. In that sense, assertions made in the subject application have remained uncontroverted. In my opinion, sufficient cause has been made out. It is well settled that the litigants should not suffer for the mistake of the advocate. Accordingly, in the interest of justice, although the delay is over one year, I am inclined to condone the same. Accordingly, this application is allowed in terms of prayer clause (a).

2. First appeal be registered and placed for admission as per its turn.